

IN THE UNITED STATES PATENT AND

DEMARK OFFICE



Large Application of:

Simon Hunt

U.S. Application No.: 09/762,852

PCT No.: PCT/GB99/02665

Int. Filing Date: August 12, 1999

Priority Date: August 14, 1998

For: INTERACTIVE SYSTEM
FOR ENABLING TV
SHOPPING

Art Unit:

Examiner:

Atty Docket: 20234/0070

RECEIVED

10 JAN 2002

Patent & Trademark Office
International Division

RENEWED PETITION UNDER 37 C.F.R. § 1.47(b)

Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

In response to the decision on petition mailed September 26, 2001, regarding the above-identified patent application, reconsideration of the decision is requested.

A copy of the declaration signed by the managing director of the assignee is enclosed along with a Certification Under 37 C.F.R. § 3.73(b). The original submission by the undersigned was believed to include a copy of the facsimile of the declaration. However, the enclosed should satisfy all requirements for a declaration.

Regarding the conclusion that the papers do not reveal a refusal to sign the application papers, the undersigned encloses further documentation illustrating the difficulty applicants representatives are having in securing the required signed documents. A letter of July 10, 2001, indicates that the inventor-applicant is demanding payment for the papers which are subject to a negotiation.

Demands by the applicant are inconsistent with the Deed of Assignment, executed by the applicant Simon Hunt, forwarded as an exhibit to the petition under 37 CFR § 1,47(b). Pursuant to that petition, a deed of assignment was attached, from Simon Hunt to the assignee of the present application. In accordance with paragraph 3(V) the assignee has been given power to:

“Do all that is necessary to invest such protection in the assignee absolutely.”

In spite of the clear transfer of ownership from the applicant inventor to the assignee, the assignor continues to demand payment for carrying out the responsibilities which were set forth in the deed of assignment. The foregoing serves as authority to accept the signature of the assignee in lieu of the signature of the inventor.

The enclosed letter of July 10, 2001, indicates good faith efforts being made by the attorney's for the assignee to obtain the requisite signed declaration for submission.

The additional letter dated 26 November 2001, confirms that the applicant continues to refuse to deliver a signed declaration.

It is hereby requested that the petition be granted, in that the assignee's representatives have made good faith efforts to secure all required documents, and unless such petition is granted, valuable rights bargained for by the assignee of the application will be lost.

Respectfully submitted,

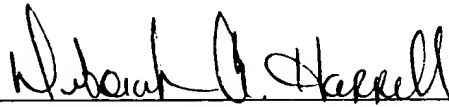


George R. Pettit, Esq.
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1990 M Street, N.W.
Washington, D.C. 20036-3425
Telephone: 202-331-7111

Date: 11/26/01

CERTIFICATE OF MAILING

The undersigned hereby certifies that the attached Renewed Petition Under 37 CFR 1.47(b), Original Executed Declaration for Patent Application, Certification Under 37 CFR 3.73(b) and a copy of a letter dated 26 November 2001 from Howard L. Mulhench (R.G.C. Jenkins & Co.) for Serial No. 08/762,852 (Attorney Docket No. 20234/0070), was sent by certified first-class mail, postage prepaid, on **November 26, 2001** to the Commissioner for Patents, Washington, D.C. 20231.

A handwritten signature in black ink, appearing to read "Deborah A. Harrell", is written over a horizontal line.

Deborah A. Harrell
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W.
Suite 800
Washington, D.C. 20036-3425

URGENT

VIA FACSIMILE
CONFIRMATION VIA MAIL

26 November 2001

George Pettit Esq.,
CONNOLLY BOVE LODGE & HUTZ LLP,
Suite 800,
1990 M Street NW,
Washington, DC 20036-3425,
UNITED STATES OF AMERICA.



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Dear George,

RE: US Patent Appln. Serial No. 09/762852 (Hunt)
Your Ref: 0234/00070 - Ours: HLM/CE/J00024475US

Thank you for your e-mail requesting further proof of Simon Hunt's refusal to sign the declaration. In the time available (you want to put a reply in today) I have copied the correspondence from our file and it is enclosed.

The position is that Simon did not refuse to sign. He said that he would sign (you have had a copy of his letter), but then involved his lawyers and, having signed the papers, instructed his lawyers not to release them to us unless we paid him some extraordinary amount which of course we refused to pay. I offered to pay £1,500, take it or leave it, and would you believe he declined to accept. We paid his lawyer's fees and left it at that, relying instead on the document that Simon had signed giving power of attorney to Media Logic.

I hope this is sufficient for your purposes. If not, please let me know what more you or the Examiner need.

With best regards,

Yours sincerely,
R.G.C. JENKINS & CO.

HOWARD L. MILHENCH

Offices also in Munich and Alicante

Partners: K R Brown, H L Milhench, S D Hodge, A K Abbas, A H West, R D George, C A Whitton, D C Musker, S R James, J M C John, J P A Chao, T C Pendered
Associates: M B A Whitlock, I Wilkes, H M Buckley, D H L Edwards, M L Milhench, M Baldwin. Consultants: R G Jenkins.

Jenkins is the trading name of R.G.C. Jenkins & Co



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**VIA FACSIMILE
CONFIRMATION VIA MAIL**

10 July 2001

George Pettit Esq.,
CONNOLLY BOVE LODGE & HUTZ LLP,
Suite 800,
1990 M Street NW,
Washington, DC 20036-3425,
UNITED STATES OF AMERICA.

Dear Geroge,

RE: US Patent Appln. Serial No. 09/762852 (Hunt)
Your Ref: 0234/00070 - Ours: HLM/CE/J00024475US

Thank you for your letter of July 6, 2001. The two forms that you enclosed have been signed by Andy Brown, Managing Director of Media Logic Systems Ltd, and copies are provided herewith. The originals follow with the confirmation copy of this letter.

The current situation with Simon Hunt is that he has signed the declaration and the assignment and his solicitor has the signed documents. Simon is asking for £3750 from us, plus £625 for his solicitors, to release the signed documents. We have countered with an offer of £1500. I can fax you the relevant correspondence if you wish.

I believe that a declaration from me will be required at some stage testifying to the facts of this matter. I also believe that you have all relevant information in this regard. Please do let me know if you require anything else from me.

With best regards,

Yours sincerely,
R.G.C. JENKINS & CO.

HOWARD L. MILHENCH

Offices also in Munich and Alicante

Partners: K R Brown, H L Milhench, S D Burke, A K Abbie, A H West, A D George, G A Wilton, D C Musker, S R Jamon, J M C John, J F A Cose, J G Pendered
Associates: H E A Whitlock, J Wilkes, H M Duckley, D H L Edwards, M L Milhench, M Baldwin
Consultants: R G Jenkins
Jenkins in the writing name of R.G.C. Jenkins & Co

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
: Simon Hunt :
Serial No.: 09/762,852 : Art Unit:
: Filed: February 14, 2001 : Examiner:
: For: INTERACTIVE SYSTEM : Atty Docket: 0234/00070
FOR ENABLING TV :
SHOPPING :
:

CERTIFICATION UNDER 37 CFR § 3.73(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Media Logic Systems Limited, a United Kingdom corporation, states that it is:

1. ☒ the Assignee of the entire right, title and interest; or
2. ☐ an Assignee of less than the entire right, title, and interest.
The extent (by percentage) of its ownership is _____ %

in the application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the U.S. Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
OR
- B. ☐ A chain of title from the inventor(s) of the patent identified above to the current assignee as shown below:

1. From _____ to _____. The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

09/762,852

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2. From _____ to _____. The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From _____ to _____. The document was recorded in the Patent and Trademark Office at Reel ___, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP § 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon, or any patent to which this declaration is directed.

Date:

9/7/2001

Name:

Andrew Brown

Title:

Managing Director

Signature:

